

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

TRPA/Zoom

October 25, 2023

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Ms. Gustafson called the meeting to order at 11:14 a.m.

Members present: Ms. Aldean, Ms. Bowman (for Mr. Aguilar), Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Mr. Bass (for Mr. Friedrich), Ms. Gustafson, Ms. Hays, Ms. Hill, Mr. Hoenigman, Ms. Laine, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Members absent: Ms. Leumer

II. PLEDGE OF ALLEGIANCE

Ms. Faustinos led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Ms. Regan suggested moving Agenda Item No. X. Reports to after Item VIII.A Permitting Improvement Process. Agenda Item IX.A on the Census will follow the reports. This will allow the Board to finish their general business before they go into the Strategic Planning Workshop.

Mr. Marshall said Agenda Item No. VII.A Appeal has been continued by the Executive Director. They've reached what they feel is a conceptual settlement between the neighbor and the party with the pier permit. It will not come back to the Board if they can make the necessary amendments to the site plan that the parties have agreed to in concept.

TMPO Consent Calendar Item No. 1 for Amendment No. 4 to the Federal Transportation Improvement Program has received some comments and will be discussed at the time of the consent calendar.

Mr. Settelmeyer moved approval of the agenda.
Motion carried-voice vote.

IV. APPROVAL OF MINUTES

Ms. Aldean said she provided her non-substantive edits to Ms. Ambler and moved approval of the September 27, 2023, minutes as amended.

Mr. Bass abstained.
Motion carried-voice vote.

V. TRPA CONSENT CALENDAR

1. September Financials
2. Annual inflation adjustments to TRPA Planning and Mobility
3. Annual inflation adjustment to the Rental Car Mitigation Fee

Ms. Aldean said the Operations and Governance Committee recommended approval on items one, two, and three.

The fees for services are slightly down compared to the three year average. This includes Permitting and Compliance fees, Aquatic Invasive Species fees, and Shoreline fees. However, expenses are mostly below the projection as well.

The committee unanimously recommended that the Planning fees by 3.9 percent and the Mobility fees by 3.4 percent. Both adjustments will be effective as of January 22, 2024.

The adjustment for the Rental Car Mitigation fee is in the amount of .25 cents per day; it goes from \$5.75 to \$6.00 per day effective January 1, 2024. In addition, there was an errata to add some omitted language in the resolution.

Board Comments & Questions

None.

Public comments & Questions

None.

Ms. Aldean moved approval of the TRPA Consent Calendar.

Ayes: Ms. Aldean, Ms. Bowman, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Mr. Bass, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Mr. Rice, Mr. Settlemeyer, Ms. Williamson

Absent: Ms. Leumer

Motion carried.

Mr. Settlemeyer moved to adjourn as the TRPA and convene as the TMPO.

Motion carried-voice vote.

VI. TAHOE METROPOLITAN PLANNING ORGANIZATION CONSENT CALENDAR

1. Amendment No. 4 to the 2023 Federal Transportation Improvement Program
2. Amendment No.1 of the FY 2023/24 Lake Tahoe Transportation Overall Work Program

Ms. Aldean said the Operations and Governance Committee recommended approval of items one and two. However, the Committee did recommend Item No. 3 in Consent Calendar Item No. 1, Amendment No. 4 to the 2023 Federal Transportation Improvement Program having to do with the non-motorized paved

trail from Crystal Bay to Incline Village be pulled for further discussion. She said it would be useful to pull this item so everyone understands that this funding will allow us to engage with the public on this project.

Mr. Marshall said because of the way they are agenzized, he recommended that they pull the full item for Consent Calendar Item No. 1 if that is the will of the Board and not separate out that one project. The Board can act on Item No. 2 as a Consent Calendar item.

Ms. Aldean made a motion to pull Consent Calendar Item No. 1 per the recommendation of the Operations and Governance Committee.

Motion carried-voice vote.

Ms. Aldean said the Operations and Governance Committee recommended approval of item number two. There were only minor changes. There was one decrease in funding and then an increase in salary compensation.

Board Comments & Questions

None.

Public Comments & Questions

None.

Ms. Williamson moved approval of Consent Calendar Item No. 2.

Ayes: Ms. Aldean, Ms. Bowman, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Mr. Bass, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Absent: Ms. Leumer

Motion carried.

1. Amendment No. 4 to the 2023 Federal Transportation Improvement Program

TRPA staff Mr. Haven said this item was heard at the Operations and Governance Committee and has received some public comment regarding one of the projects in the FTIP Amendment. The Federal Transportation Improvement Program is the accounting document for transportation funding. It's a near term document that when projects receive Federal and State funding to move forward, they need to be programmed in this tracking document. There were three projects included in this document. The third project that had public comment associated with it was the Incline to Crystal Bay Trail proposal. This project has been identified as a key part of the Tahoe Trail around the lake and has been in subsequent Regional Transportation Plans and the State Route 28 Corridor Management Plan. It was most recently included in the Washoe County Transportation Plan as part of their area planning and community planning process. The proposal today is to fund some of the planning elements of that project. This is not funding construction of a project but rather the public outreach, design, and some of the environmental work that is going to be needed to

advance and focus on this stretch. He believes that a lot of the public comments had to do with dialogue with the public. This funding provides the resources to do that.

Board Comments & Questions

None.

Public Comments & Questions

Ellie Waller said there were some good comments at the committee level. She hopes you will listen to that and/or engage those people who might have concerns about the upcoming planning stages of any projects on the Consent Calendar. There are concerns about parking, and overall safety issues on several of the projects.

Ms. Aldean made a motion to approve TMPO Consent Calendar Item No. 1.

Ayes: Ms. Aldean, Ms. Bowman, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Mr. Bass, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Absent: Ms. Leumer

Motion carried.

Ms. Laine moved to adjourn as the TMPO and reconvene as the TRPA.

Motion carried-voice vote.

VII. APPEAL

- A. Appeal of Single-Parcel Pier Rebuild Permit, 1713 Lakeshore Blvd, Washoe County, Nevada, Assessors' Parcel Number (APN) 130-331-14, TRPA File Number ERSP2022-1124; Appeal No. ADMIN2023-0016

Item continued.

VIII. PUBLIC HEARINGS

- A. Amendments to the fee schedule, necessary to implement the Permitting Improvement Project

Mr. Hester said they've undergone about a two year long process improvement project. Last month the Board approved most of the proposed items. One of the items staff was asked to come back with more information on was fees.

Mr. Stockham, Stockham Consulting provided the presentation.

Mr. Stockham said staff is moving forward with training and implementing the items approved at last month's meeting.

The fee part of this is nowhere near their focus area but is important that they look at this subset of fees and some adjustments. It's one of the six priority items ensuring adequate and dependable funding for the department and currently don't have that.

There was an Action Plan for the permitting improvement project and brought it forward at a more conceptual level and then a more detailed level before it came forward with the amendments. The Action Plan had several topics related to funding. Most importantly and what they are focusing on is process, efficiency, and consistency improvements, being able to do as good or better of a job with less expenditures. Even with those improvements it became clear that there were a handful of application categories that were not even close and no chance that staff would be able to create efficiencies enough to make those application fees cover the cost of reviews.

They have established the expense and monitoring reports, so they are tracking costs in more detail by project category. That information will become increasingly useful over time and can be used in the 2026 budget discussions to potentially refine project application fees further. They also had near-term recommendations for fee and staffing adjustments. The staffing adjustments were already made. It's been a crisis situation in the amount of applications piled up in the shorezone and along the shoreland and the Agency had to commit general fund revenues to keep on track with permitting deadlines and is diverting funds away from environmentally good stuff to help fund project reviews. Which are environmentally good, but the cost recovery goal is central for them.

There is still Phase 3 of this project with additional process improvements focusing on the application process. They did a lot of work on the Code of Ordinances foundation, the Rules of Procedure, and administrative processes building the foundation but now will look top to bottom to improve the application procedures. The application requires double checking to make sure they get what they need. A more thorough completeness review process so if there are deficiencies in an application it's identified in the first 30 days. Then there'll be some adjustments to the standard operating procedures for staff. There will be a lot more proactive communication coming from the staff reviewers during the process. Communication was an issue raised by project applicants early in the process and the value of having a good understanding of where things are and how long they'll take, etc. They now have the procedure manual that should be more efficient and consistent, but they are also going to try and take on an acceleration of project review timelines through this process.

What the Board approved last month included a category called minor applications where they are moving from 120 day review schedule to a 40 day review schedule. It will also help with some of the plan revisions. Everything else is still at 120 days whether it requires a public hearing at the Governing Board or not. Within the first 60 days of an application would be the deadline to identify any significant issues. Then if a project doesn't require public notification or public hearing, they are aiming to accelerate the review timeline for that category of projects from 120 to 80 days. The efficiencies that were approved last month will be directed towards these improved review procedures and a less lengthy timeline to get the regular average projects approved. The major projects such as shorezone and items requiring public hearings will stay at 120 days. That's what they are working towards and need to prepare for it because staff has too much backed up right now to meet those timelines today and is part of where this fee discussion comes in.

The budget deficit has averaged about 30 percent over the past three years and the deficit was closer to 50 percent last year. There's roughly \$2 million in revenue and \$3 million in expenses.

In 2005 was the last time a legitimate time and expense review was done for different categories of applications. Fees were adjusted in 2007 and 2008 based on that. At that point, those fees should have been about right. However, after the recession, there were no fee adjustments for about a decade then one 30 percent catch up. All of that should be about right for inflation and the processes that existed in 2005. Staff have been doing annual CPI adjustments ever since. What that didn't catch is the new shorezone ordinances. There's never been an application fee review for the new shorezone ordinances and it's those procedures that are overwhelmingly taking up more time than the application fees support. They are working on the first cut of that now and then reevaluate those numbers once they have more specific costs for each application category. The other issue is the shoreland projects like a lakefront home. Those were evaluated in 2005 but the type of development there was in 2005 is dramatically different than the projects that are coming in today. Some of these homes are \$20 million, extremely complex, and very sophisticated proposals for how to do the scenic review to demonstrate compliance. The fees that existed back then do not cover those review costs. All of that additional time that's being spent on the lakefront projects are interfering with reviews of the other 95 percent of projects in the region.

They put together a more detailed fiscal impact assessment, but these numbers are approximate only. Over 85 percent of the catch up budget is from those four shorezone applications. Most of the balance is from projects requiring noticing which is mostly a shoreland and shorezone process. There are some fee incentives they are looking at but are relatively minor in terms of the overall budget impact on TRPA.

If all of our proposals are approved, they estimate the positive fiscal impact to about \$200,000 per year, \$170,000 to \$220,000 was their estimate. That represents about 8 to 10 percent of the budget shortfall. If it was a 30 percent budget shortfall, maybe they are catching one quarter or one third of that with the fee adjustments. The goal is to balance the budget through the more efficient processes that were enabled through the amendments approved last month. A 20 percent efficiency goal is pretty significant in government. The team believes that there was a significant amount of time being spent that didn't need to be spent. They eliminated a lot of that through the amendments approved and will eliminate a lot more through efficiencies and clear review procedures.

When you look at the fiscal impact to TRPA, about half of the revenue gain comes from shoreland scenic reviews which are complex. Essentially reviewing improvements to lakefront homes is the biggest adjustment. Other big categories are buoys, pier expansions, and a number of lesser impacts.

Shoreland scenic reviews can be pretty straightforward but it's typically they are complex. These are very sensitive sites on the shoreland of Lake Tahoe and take time to review. Chapter 66 is a complex ordinance. You basically have to quantify every square foot of visible improvement that can be seen from the lake. There are scores for the color, texture, reflectivity and glare. It's a complex numeric system to go through for essentially each different material on what's proposed to be built. Then you get to a point of allowed visible mass and for a lakefront property, allowed visible mass is one of three primary development

limitations. If there's a home or property on the shores of Lake Tahoe, you are limited by the land coverage and height allowances. The most that he's seen are more limited by their visual mass than coverage. Often times, that's the limiting factor for how big the home could be on a lakefront. The ordinance allows some flexibility and allows mitigations to offset improvements. All of that is good but each step of the process adds complexity. The fee today of \$629 per application doesn't approach the depth of review and won't no matter how efficient staff gets, unless the shoreland ordinances are changed. This one change is about half of the fiscal impact.

Buoys are a smaller fee compared to shoreland scenic but is similar with the review process takes a lot more. Right now, there is a two tier fee system where the first one is about \$700 or \$800, then \$300 to \$400 for buoys over three. They are not straightforward. One of the bigger complexities is that you have to deal with locations and separations based on property line projections and it's not always clear which way the property lines project, the shoreline is not straight and perpendicular. The multiple buoy applications are relocation of buoy fields. For example, if you are relocating ten that's a pretty complex project with a lot of controversy. There's public noticing and often times disputes about where the buoys can be placed or blocking views. The current fee isn't covering the cost incurred to implement the current ordinance. The fiscal impact is about \$30,000.

A mooring lottery application is \$71 today and is not that complex but just the technology alone that TRPA has to pay for takes up that entire fee before you even get into staffing costs. What they are proposing for all of these better reflects the true costs of reviews. They are not trying to overcharge the lakefront properties to fund others. For the mooring lotteries, TRPA is responsible for verifying it's all good and that is not something that a government does for \$71.

Pier expansions are complex and probably harder than a new pier. The fee schedule today has them grouped together with pier modifications that don't expand anything and don't have to do any scenic review or anything like that. They are proposing to adjust that to be the same. It's a pier fee whether you are doing an expansion, a new single-use pier, or a multi—use pier. The review steps are all the same except that for pier expansions there are some additional issues you need to deal with. There's a measurable standard that is it a legal existing pier, so, it's a lot like a new pier. Again, about a \$30,000 impact.

The project's requiring noticing is a little bit different category because there is no supplemental fee for notification requirements. You do a supplemental fee for public hearings which is generally correct. But notifications add a lot of time to the review. This is important because of the amendments that were approved last month. They'll be using this process increasingly in the shoreland and offsets some of the increases that they talked about earlier. For many of these moving to a 1.25 multiplier is a fee decrease. Previously, they would be at 1.4 or 1.8 but they are recommending 125 percent multiplier for these. If they just run the numbers on historic cases, it's about a \$20,000 impact. There'll be some additional ones but feel that will balance out the differences in the review complexity.

Because most of this affects the shoreland and shorezone, if you add up all the fees today and all the fees proposed and the difference. The changes are relatively minor for most of these cases. For example, a single-family lakefront tear down, rebuild home fee would go

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from a little under \$8,000 to slightly over \$9,000. The fee for a new multiple-use pier, which is the policy preferred alternative goes down because of the streamlined processing that offsets any increase. A new pier is kind of a negligible increase of \$669. Pier expansions would almost triple, which reflects the legitimate costs to review. An option being proposed is to phase in the larger increases and is not unusual. Even those this is a larger increase they didn't propose that because a \$6,000 increase is a tiny fraction of the costs for these projects. Given that these are lakefront homes and new piers that add millions of dollars to property values, then a onetime cost of \$6,000 didn't seem huge. Another one that goes up quite a bit is the relocation of buoy fields.

Outside of the shoreland and shorezone there are some changes and the overall impact to TRPA isn't that much. Basically, recalibrating tourist accommodation units to reflect multi-family which are less complex. That is more recalibration than a major fiscal short fall. Qualified Exempts have no fees today. This is work that staff does for application reviews and actions that have no associated fee. They are recommending fairly small fees as a cost recovery. All of the QE's would be at a little over \$200 level. Deed restrictions, \$200, repeat permit approval, \$200. Relatively small impacts to TRPA for all of these.

Special planning area is kind of the reverse of what they are talking about for noticing. These are more incentive based recommendations where there are current fees that are serving as a disincentive to the type of development that the policies promote. Special planning areas charge more to apply and redevelopment priority areas than everywhere else. If those are really priority areas, let's stop charging them more. It's a relic of a different time when the redevelopment plans were complex, and no one was really doing any of it. They are recommending that the fee is based on the type of project, not where it's located. Day care is a critical community need. They've been averaging about one per year new and one per year expansion. Reducing those fees which probably be a fee subsidy, it's unlikely that \$800 will cover the cost review. The special planning area is a little hard to gauge because our budget numbers don't get to that level of nuance. That could be up to a \$20,000 decrease with daycare a pretty small decrease.

They'll feel the balance of these if they can implement some of these efficiency improvements should be in the ballpark. They were evaluated less than two decades ago and are being evaluated again. The shorezone and shoreland applications are eating up staff's time.

The Board could choose to implement this all immediately. It's roughly \$200,000 per year overall fiscal impact, maybe up to ten percent of the department budget. For example, if they choose to do a three phase increase for some of the bigger fees, the fiscal impact is you get one less year of that revenue but it would soften the impact of that change on those property owners. Staff is recommending that it be immediate because in the scheme of what's being built in these areas, the increases didn't seem that huge.

Presentation: <https://www.trpa.gov/wp-content/uploads/Agenda-Item-No.-VIII.A-Permitting-Improvement-Fee-Schedule-Amendments.pdf>

Board Comments & Questions

Ms. Conrad-Saydah asked if all of this then get us to the 30 percent deficit.

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Mr. Stockham said no it does not. If everything gets approved, they're estimating that it's eight to ten percent of the project. It's maybe one third or one quarter of the deficit. They're doing their best to get the rest through efficiencies and improved processes.

Ms. Conrad-Saydah said for the shorezone projects, is there a way to classify them as a "category 5." You are setting up a cost recovery account and staff is billing their hours to that cost recovery account in order to finish the permitting process for those. The complexity of those projects requires you to do much more work than on standard projects. You can show that a standard project is "x" and for standard projects here is what you get. She gets that the multiplier is for hearings and Governing Board, but that multiplier doesn't seem like enough to cover the hours. Thinking about the staff time over 120 days, it doesn't seem like the permit covers the true staff time in those 120 days. Specifically, for the shorezone project if there is a category of cost recovery that's more representative of what the staff are putting in.

Mr. Stockham said TRPA for some projects uses deposit accounts where you bill for the time. It's a very cumbersome process and adds a lot of time and expense. They tried to reduce the use of those deposit accounts. He learned that staff rarely uses them for regular type projects like this because just the process alone jacks up the cost quite a bit. These numbers are their best estimate for what cost recovery would be. They think it should be sufficient but is why they have this new time and expense study. Over the next 18 months they'll validate that and quantify it and come back with numbers. He anticipates when that report is done some numbers may need to be adjusted up and some down. Those numbers will be based on staff entering their time into the system for every step of the process. Right now, it's more of a best judgement type estimate.

Mr. Keillor said they don't currently accumulate labor hours by project. The number of individual projects that a planner works on during the course of a pay period is an unreasonable thing to do.

Ms. Conrad-Saydah said she's had to bill by project and there were codes in the system where they logged their hours. It represented what the actual rate was for their time. She doesn't like the messaging of them having a deficiency and still permitting these enormous projects. She agreed with incentivizing in redevelopment areas and protecting preschools and thinking about the moves they've made. But she wants to see especially with these enormous projects that we are not using taxpayer dollars and operating at a deficiency to accommodate them. She wants to hold us to that and report back on this. Its' also not requiring staff to bend over backwards to try to meet that deficit. As we message these increases, it would be great to message it in a way to say here are all the improvements that were approved to make this a faster, more efficient process. Because of inflation and COLA, these are the fee adjustments so people can see that they are getting something for their money. Regarding the multiplier for the board hearings and additional work, do those sufficiently stand in for complexity of projects. You were recognizing that projects vary tremendously in complexity and is that multiplier enough to sweep in all the complexities.

Mr. Stockham said on average, they feel it's about right. Sometimes things sail through and sometimes it gets bogged down in endless controversy, it's never quite perfect. Yes, they feel it's sufficient and also is what the Board approved in terms of the balance of the 30 percent, what they approved, might have caught one third of that just by eliminating things that were being done with no added value. This was the balance they felt was reasonably

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close to getting fees to a cost recovery point and getting procedures to be properly efficient but not overly rushed. But it is an educated guess and needs to be recalibrated once they have these numbers come back in a couple of years.

Ms. Conrad-Saydah suggested clear messaging on the website will also help the public understand these and see how the improvements are coming into place.

Mr. Stockham said her point on the complexity varies. The biggest ticket item was the shoreland scenic review and those vary a lot. They don't like getting too complex with fees because added complexity can feed on itself but did recommend a two tier fee system for those. A \$1,000/\$2,000 because the new lakefront home that's 10,000 square feet is not the same as replacing a few windows and siding, etc.

Mr. Settelmeyer said regarding the special planning areas, is that a reduction and if so, why?

Mr. Stockham said it is a reduction. Somewhere around 1989, the fee system was established. At that time the redevelopment plans were extremely complex and time intensive to administer and there wasn't really policy support for redevelopment. The TRPA policy was more stop development and that shifted to redevelopment and now we have area plans which are much more concise. There's also a focused effort to direct new activity and development to town centers but they are charging them 25 percent extra. It's a fee that works against the type of projects and the location of projects that they are trying to incentivize. They want to charge a flat fee; the same development would pay the same type of fee regardless of where it's located.

Mr. Settelmeyer said it's like the day care where we are trying to incentivize these types of things. He understands the concepts of avoidance too because if you don't want to have your rates increased don't expand your buoy or pier. In looking at the prices, he calls this Hatfield and McCoy's, and you call it "endless controversy." What percentage of time is eaten up not by the mechanics of the permits? But by the discussion, which can be good or frivolous by individuals pertaining to that which he looks at sometimes as not a cost of the applicant, that is a cost that society has brought to that applicant because of the litigious nature of our society or the desire of individuals to not see change. He doesn't necessarily want to promote or punish people because we have a lot of citizens against virtually everything. In that respect, what percentage of time is eaten up in the Hatfield and McCoy's type discussions on permits?

Mr. Stockham said there is a component of public noticing that even if no one responds it's still work that is required. TRPA staff writes a project summary after the preliminary review. They stuff envelopes that have been provided by an applicant, mail them out. Some of the questions are just inquiries about the project and others evolve into disagreements into interpretations and things like that.

Ms. Good said it does vary and there's no one project type that spurs more public comment than another as far as projects go in the shorezone. On the low end, 20 percent of time has gone into just the bare minimum of handling the notices and answering questions that come out of that. And then it could be much more than that depending on what comes about from either neighbor or general public comment.

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Mr. Settelmeyer said he fully supports the concept of public notice and input but sometimes he's seen the Hatfield and McCoy situations especially when it comes to pier expansions. That's his opinion and anecdotal.

Mr. Stockham said staff will listen to an issue and make a call and a lot of that debate happens through the appeal process. An appeal fee is \$1,165 and may cover some of it. That is another thing to look at is the charges for appeals. Sometimes disagreements aren't always solvable. Staff has to issue a determination based on the requirements.

Mr. Settelmeyer asked if we have serial appellants that appeal more often than others.

Mr. Marshall said it depends on the type of project. Generally, with shorezone projects there are no serial appellants. It's usually focused on a particular area. Cell towers are probably a different story.

Ms. Aldean referred to page 251 of the packet, Buoys and Loading Platforms, at the bottom of the page having to do with mooring lottery eligibility reviews. At \$350, it's fairly minor but if you have participated in a lottery and staff has all of the information in an initial application and then you participate in a subsequent lottery, would someone get double charged?

Ms. Good said yes, they would get charged. One of the biggest amounts of time behind the lottery eligibility reviews goes into the project area review. Project areas, especially in the shorezone, change quite frequently and that does impact eligibility. Having to reassess every project area as they undergo these eligibility reviews, it would be difficult to parse those out that haven't changed. That is why they continue to charge on an annual basis if people come in for subsequent lotteries.

Ms. Aldean said with respect to pier expansions, the Legal Committee just considered an appeal which hopefully be resolved at staff level. But reviewing our Code of Ordinances she had a difficult time distinguishing between expansions and modifications and yet pier expansions are going to be charged the same fee as a new pier. She requested that staff look at the definitions in the code and try to draw a brighter line between modifications and expansions because it's probably confusing the public as well.

Mr. Marshall said they attempted to do that with this code package to draw that line and ran into a situation on a particular appeal last month on the Thompson appeal. Through that appeal they are looking at those definitions.

Mr. Bass asked if they are able to split these based on square footage of the building.

Mr. Stockham said fees are a broad term. In terms of application fees, there is a minimum and there's a per square foot fee. Single-family fees are per square foot. Multi-family there is a flat rate plus a per unit fee. But they are generally calibrated to the size and scale of the building. You may see coming back through some of these housing efforts that not all of our regulations work that way. There are some mitigation fees that are per unit. There are development rights that are per unit and the Agency is looking at recalibrating those for equity.

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Mr. Bass is more curious if we could create a different fee schedule for any home above 3,500 square feet, where homes below 2,000 square feet would be lower. Is that legal to be able to have those different fee structures based on the size of the house.

Mr. Marshall said you should distinguish between an application fee which we are talking about now and an impact fee. What he believes Mr. Bass is talking about is a disincentive fee that more recognize perhaps larger homes in particular neighborhoods have an impact that we want to mitigate. Then there's the next step which is a fee that's based on a policy objective which is a fee that generally TRPA doesn't charge that additional fee that might be for social purposes that a local government might want to implement. That's where we deviate from a mitigation or impact fee versus another fee source.

Mr. Bass said regarding the tourist accommodation unit, have we looked at creating a permanent as well as a fee for overnight short term rentals and the fact that we are still in a deficit, 3,000 to 4,000 short term overnight rentals. If we collected \$1,000 from each of them every year, we would probably be out of our deficit. Also, it would uphold our TAU theory that we have an actual cap on what our overnight accommodations are and might help us out of this deficit.

Mr. Marshall said in general we don't charge use fees, like a business license.

Mr. Bass said you would apply a TAU to a property for any overnight short term rental. We'd probably have to pay the fees for the conversion from existing use to a TAU and then also have to have a valid TAU.

Mr. Marshall said he would recommend that the Board take that on directly if they want to. It's more of a question of do you need a TAU to operate a vacation rental. Our current definition is it's part of the residential use. Then things can flow after that if a primary policy decision is made. Right now, sometime before 2011 the Board adopted language in our residential definition that included vacation rental as part of that residential use. If the Board wants to make a change, that would be the place to entertain that issue.

Mr. Bass suggested we should look into that at a later date. Under residential, it states that all application fees listed under numbers 1-4 are waived if they are affordable, moderate, or achievable. What are the other fees that are attached to those types of projects and could we look at lowering those as well.

Mr. Hester said again this is just the application fee. The other fees such as the mobility mitigation fee, water quality, coverage, etc. are being looked at in Phase 3 of the housing work that starts in January. He'll cover some of that in the Strategic Planning Workshop this afternoon.

Mr. Hoenigman had the same question as Ms. Conrad-Saydah as to why we are not recovering the whole fee. With the process improvements hopefully making us more efficient and this new revenue we can get closer and as long as we continue to evaluate it and change fees as needed, he's satisfied.

Public Comments & Questions

Patrick Taylor said it seems to him that a pier application fee of \$6,000 is ridiculously low. With what it costs to put in a pier you could make up for some of your deficit with these pier applications. A \$6,000 application fee is a drop in the bucket. You should review those costs because staff are probably spending a lot of time on those.

Pamela Tsigdinos suggested increasing fees on short term rentals to solve multiple problems. It would give a reason for someone to reconsider whether their property should be short or long term rental. It would also make a huge dent in the fact that there is a housing shortage and there should not be an easy route for investors to make easy money by paying a small fee when they are having many more long term negative impacts by way too many short term rentals across the Tahoe Basin. She encouraged the Board if there's an opportunity to revisit the policy that changes a short term rental from a residential use to a TAU.

Ellie Waller echoed Ms. Tsigdinos comments. She's looking forward to a more robust discussion on impacts that are not currently in the analysis purview of anybody. We have area plans coming forward with no vacation home rental or short term rental rules. It has been put in a parking lot somewhere to be discussed but it needs to rise to the level of importance because it affects everything that we are doing. Like previous discussions at the committees about trails, bike paths, or anything that has to do with tourism and the public and the impacts that are not being embraced. Our grocery stores being overcrowded all the time is part of that impact as well as the parking strategies that are coming forward with zero parking requirements. That needs to be applied to vacation home rentals, as well as how many cars they can bring. Enforcement is an issue in all of this. We need a robust discussion at the public level on these vacation home rental impacts.

Mr. Stockham said throughout this process they've bumped into this issue of what's the scope of what we are doing, and they've tried to stay laser focused on improving the process. There have been good ideas on policy based changes, incentives, etc. but their recommendations are focused on that cost recovery component. They see that as more of a policy matter for the board and in their scope of review they were not trying to influence outcomes through fees, rather it was a cost recovery evaluation.

Kathie Julian said the concept of having reduced fees or fees that are intended to encourage higher density development in downtown areas need to be better clarified if it's helping workforce housing, yes, but if it's a reduce fee for a \$2 to \$5 million dollar condominiums that could very likely become a short term rental then she would not support any kind of subsidy to encourage that kind of higher density in downtown areas unless it's for workforce housing.

Board Comments & Questions

Ms. Gustafson thanked staff for trying to recover costs, it's a great step forward and will support it but does share Ms. Conrad-Saydah's concerns that we track it and look at where time is being spent and continue to update it. It's always better to adjust these as we go rather than playing catch up.

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Mr. Settelmeyer asked if this also includes the cost of living adjustment, they discussed last month.

Mr. Stockham said that was already voted on. If you vote on this, it will recalibrate the fees to the numbers in the staff report. It's actually a slightly lesser increase from the adjusted rate that they approved this morning.

Mr. Settelmeyer said he doesn't generally enjoy the concept of voting for fee increases but he can see how this can be beneficial to get us to more parity, but we are still operating at a deficit. That does concern him that we are lowering fees for some through this program but is based upon the idea that without the reviews it will save staff a fair amount of time.

Mr. Bass said for example, on piers is there is cap of cost recovery that we can go to or for certain things can we bring up to \$12,000 or \$15,000.

Mr. Marshall said if they are adopting an application fee then they need to stay generally within how much it costs to review that application, that's the purpose of the fee. It becomes arbitrary seek to in the application fee context charge an additional amount of money for some other purpose. They can do that in different ways but not with the application fee.

Ms. Conrad-Saydah made a motion to adopt Resolution 2023-__ (Attachment A), amending the Fee Schedule.

Ayes: Ms. Aldean, Ms. Bowman, Ms. Conrad-Saydah, Ms. Diss, Ms. Faustinos, Mr. Bass, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Ms. Laine, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Absent: Ms. Leumer

Motion carried.

IX. PLANNING MATTERS

A. Presentation on 2020 U.S. Census demographics for the Tahoe Region and Other Available Data

Ms. Regan said she's been meeting with members of the community throughout this year and had great turnout and constructive dialogue. One of the takeaways was the disconnect with what people are feeling locally in terms of the impacts and the overuse of our resources and traffic versus the data. People are convinced that this is the worst traffic they've seen living in Tahoe for 30 years. Some of the trails that never had people are now flooded with people, but it doesn't square up with the traffic counts. But there are changes in behavior that are affecting people's daily lives.

What we've heard about Destination Stewardship around recreation is that we do have issues. These issues have become engrained in us with seeing trash on the beach on July 4th, illegal campfires, invasive species introductions, dog waste, people not understanding pack it in pack it out. They are working with their partners to address that through Destination Stewardship and a lot of other issues. It has hit a real fever pitch in the media which also compounds this feeling among our local residents.

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What is underlying some of that is that trend of outdoor recreation and are seeing it across the country. In the course of three years, 7 million more Americans are participating in the great outdoors. This is probably an undercount as well. The national parks experience that with the anniversary campaigns and having to shut down certain areas in national parks from overuse. The love affair with the great outdoors is here to stay. During Covid many places shut down because it required air travel, Tahoe ramped up because people could drive here. That trend is here to stay and that is different than what the old economy used to be based on which was gaming related. A lot of the pattern shifts that we see of on road shoulder parking and clustering in certain trailheads have changed.

Gaming has always been what brings people to Tahoe, but gaming has declined. When they launched the Destination Stewardship, looking back to the late 1990s and early 2000s Governor Schwarzenegger treaties for Native American gaming throughout California. When you look at what happened with Native American gaming, it happened the same in Reno. Tahoe and Reno used to be the place people could go to gamble, now, they can go anywhere else in California. We were hemorrhaging jobs before the recession and then it compounded. They were already seeing school closures and permanent populations declining and a change in our entire makeup of our \$5 billion economy. It shifted to outdoor recreation even before these most recent trends, but we didn't add a lot of infrastructure to accommodate. It's no surprise that we are now having challenges and we haven't done a lot more in terms of satellite parking and other parking improvements. All of these things are coming to a head and that's part of the interest in what you'll hear from this presentation.

The other thing that has changed particularly in the past five years with every single year being warmer than the last is that the traffic increases over Highway 50 Echo Summit when there are 100 degree days in the Sacramento Valley.

TRPA staff Mr. Kasman provided the presentation.

Mr. Kasman said the 2020 Census data gives us an overview of some of the changes that have occurred in the last ten years and even further back. The population of the region peaked in the 2000 Census with over 62,000 residents. Since that time, the region lost one out of every nine residents and they haven't returned. Looking at the difference between the 2000 and the 2010 Census and then from 2010 to 2020, regional population has not returned.

Slide 3 shows that most of the growth was on the Nevada side with the population growing seven percent between 2010 and 2020. While the populations on the California side dropped two percent. The overall state of California grew six percent, and the overall state of Nevada grew 15 percent. They also saw a 15 percent growth in Reno and 12 percent growth in Sacramento. The fact that the population is declining on the California side runs counter to everything that is happening surrounding us. On the Nevada side was about half of what we are seeing in the rest of the state. They've heard from public comment that populations particularly on the Nevada side, Incline Village was up eight percent over that ten year period, a little less than one percent growth per year and about 700 residents' difference between 2010 and 2020. South Lake Tahoe dropped two percent for about 400 people. A lot of that population that dropped along the West Shore was a shift in the Census percentages in terms of vacant homes. As more homes become vacant for seasonal use, second homes, or short term rentals, that population was lost to renters and owner occupied housing.

The median age in the 2020 Census for Tahoe was 44 and they actually have more residents over age 50 than they have under age 35. When the population peaked in that 2000 timeframe, 40 percent of our population was under 30 and now it's about one third of the population. What they've seen is the population under 55 lost about 15,000 residents and gained 8,000 residents in the population over 55. Not only are we seeing this shift, but we've also seen a significant loss of population of the lower age classes and gained more population of the older classes.

This trend has been happening since the 2000 Census, high earning households in the region have doubled since 2000 and while that sounds great, underlying this is the loss of those households at the lower end. There is a 35 percent drop in households making less than \$75,000 per year and a 44 percent increase in households above \$75,000. This is why we are having those impacts on our housing, hospitality jobs, and filling those positions at the lower income levels.

We've lost 20 percent of our jobs from the early 2000s to today. Meanwhile the number of businesses in the region has slowly been trending upward over the last ten years. But they are not hiring as many employees. That loss in jobs, particularly in the early 2000s, was from the casino employees. Casinos are down 80 percent on the South Shore in terms of employment, going from over 10,000 employees in 1990 to about 2,100 employees today. Since 2019, casino employment is down 1,500 or a 40 percent drop.

Board Comments & Questions

Mr. Settelmeyer asked if they saw a trend in the changes in the types of employment. For example, in agriculture they get new equipment and therefore requiring fewer people. Most of the restaurateurs say they can't find employees and have given raises to current employees and reduced their staff by an average of 15 to 20 percent. Is there a trend in the number of employees versus establishments.

Mr. Kasman said he doesn't have that information today but can look into that. Most of the businesses in Tahoe are fairly discreet around hospitality and visitor serving businesses.

(presentation continued)

Mr. Kasman said the population peaked in 2000 and is way down. Jobs peaked at about the same time frame and are way down. But we all experienced something different.

That steady increase through the 2000s and the peak of gaming can be seen in the entry/exit volumes in slide 7. Then you see the recession in the middle of the chart and then the recovery. That recovery is framed here as the rise of outdoor recreation. Even those high levels never really got back to those peak periods. Over the past 15 years we've enjoyed this relatively low period of visitation and activity in the basin that we've become accustomed to. Those prior periods do show much higher activity. In 2019, it was starting to get back to those levels and then Covid hit. What we see is the drop with Covid and in 2021 it did

recover but not quite as far as they'd seen in 2019 in terms of vehicles coming in and out of the basin.

Board Comments & Questions

Ms. Gustafson asked if this takes into account the employees that have moved out of the region who are now commuting in.

Mr. Kasman said this is all vehicle traffic.

Ms. Gustafson said all vehicle travel coming in. She's looked at the numbers for the North Shore which has not done as well. They haven't come back to these levels but also have a lot of employees commuting in from Reno and Verdi.

Ms. Kasman said that is a factor. This data comes from Caltrans and NDOT. The NDOT data is available for 2022 which showed a 13 percent drop in entry/exits on the Nevada side from 2021 to 2022. They are continuing to see the data trending downward. Generally, what they are seeing is that the Covid peak happened but are starting to see the data recede a little bit in a number of these areas.

(presentation continued)

They monitor travel times in the basin through 12 segments. They look at how long it takes to drive a certain segment and how much congestion there is in the segment. They looked at both median time and what is the midpoint as many trips take longer and many trips take shorter than the evaluated time period. They also look at peak evaluating what is the highest levels of travel time in those segments. What they've seen is localized impacts from weather and construction in winter and summer and the variance between seasons. Overall, in the last five or six years they have not seen a significant difference.

Slide 9: If you combine all 12 segments, it's roughly 104 miles of roadway in the region and takes roughly 2.5 hours to drive at median. When you look at the peak times it's about 30 minutes longer across 12 segments. For any given segment in the basin, the peak times are roughly three to four minutes longer than at the median times. Generally, they are not seeing significant difference in terms of congestion or experience on the roadways. Acknowledging that there are impacts from construction and weather.

They also looked at paid overnight visitation. It looks at hotel rooms rented, vacation home rentals, and transient occupancy taxes paying businesses throughout the region. Down from 2019 and not a significant difference between 2021 and 2022. Is there something that people are experiencing that we are not picking up and so far, they are not seeing that.

Another item looked at was school enrollment for K – 12 in the region. This data continues to trend down. They're seeing the same pattern as before with the early 2000s they had significantly higher volumes of enrollment and that dropped about the same time that the casinos were losing their employees. Total enrollment is down 22 percent today from that peak in the early 2000s and the Nevada side is down 46 percent.

They looked at the average daily water use from the Tahoe Water Suppliers Association and the South Tahoe Public Utility District. It's significantly down from the 2000s and overall, in the last six years, there's been no significant change. There was about an 11 percent increase from 2020 to 2021 and then an eight percent drop from 2021 to 2022. Overall, they are not seeing a significant pattern in terms of the last five or six years.

If it's not visitor or resident population and they can't see in any of the data that there are more people here, why do people feel that there are more people here. Some possibilities are second home use and Covid affects from remote work. Day use visitation and more people coming in from those populations from outside the region. People recreating in different places and different times. Changing travel behavior in terms of commute or roadside parking, or other factors.

Fifty percent of the housing stock in the basin is considered vacant homes according to the Census. These vacant homes are going to include second homes, seasonal rentals, and short term rentals. There are roughly 50,000 residential units in the region, there are 25,000 vacant homes of which 4,000 to 5,000 are short term rentals. The big population of that is these second homes and seasonal rentals. Even a one or two percent change in the number of people using their second homes would have significant differences in terms of how many people might be here. A one percent change would be 400 or 500 people in the basin. They saw with the population chart most of those communities that lost population between 2010 and 2020 saw these percentages increase even though the overall percentage in the region didn't change a whole lot between 2010 and 2020.

Looking at traffic counts from NDOT and seeing a fairly significant pattern change in terms of traffic and vehicles going north on Highway 28 and seeing a 50 percent increase in the number of vehicles traveling north and paired with a 30 percent drop in the number of vehicles that are passing through the casino core in Stateline on the South Shore. That's about 9,000 trips going north and 30,000 trips going south. It's not a 1:1 change but those changes in patterns have very significant affects and localized affects in some of these communities as you go north on Highway 28 around the lake into Incline Village and Sand Harbor areas that we are hearing about these pinch points.

They reached out to Nevada State Parks and got some data from Sand Harbor. When they look at the visits to Sand Harbor there is a fairly significant peak in 2020. In 2021, it was on track to surpass 2020 until the Caldor Fire and the closures related to that put the visits below the 2020 numbers. Again, they see that continuing to drop off going into 2022. Particularly in that nonpeak season. Values seem to be fairly consistent for Sand Harbor, it's the off peak that really dropped off.

Slide 17-Sand Harbor Fall Weekend Trips. This data was Fall weekends and trips that are ending at Sand Harbor. They are seeing an increase in overall trips that are ending in this area but a 52 percent increase in trips ending before noon. They are seeing a pattern change where people arrive earlier and try to avoid the crowds and get into parking lots before they fill up. They saw a similar phenomenon last winter at the ski resorts where reports of parking lots that used to fill at 10:00 or 11:00 am, were filling up at 9:00 am. Again, it's not so much that the capacity has changed but that people arrive earlier and feels busier. That's a factor in this perception and what people are sensing.

There's been a 33 percent in occupied rooms at the casinos from the 2000s. Almost a 50 percent drop in casino revenue and an 80 percent drop in casino employment.

Slide 19 shows trips going through the casino core on both the South and North Shores relative to entry trips into the basin. In the 1980s and 1990s they were seeing for everyone hundred vehicles that would come into the basin, there were 120 trips through the casino

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cores. Today, it's half that. For everyone hundred vehicles coming in, they are seeing 60 vehicles go through the casino core. But they are seeing roughly the same number of vehicles coming in. It's the dispersal throughout the region where those trips are going elsewhere. They are not going to the casino cores. It's how do they manage those volumes more so than increasing capacity or dealing with more people necessarily.

They see this on the West Shore as well. There was a 13 percent increase in trips through Fallen Leaf, Emerald Bay, and Tahoma on Fall weekends but a 21 percent increase in those trips occurring before noon. People arrive earlier and those trips happen earlier in the day.

The regional population is unchanged and way down from the peak. The jobs are down 20 percent mostly from casino employment on the South Shore. The entry and exit volumes are below peak numbers and have not significantly changed. They did see those peaks during Covid. What they are seeing is that a lot of those impacts appear to be subsiding. They'll continue to look at this data as more information comes out and are continuing to work with the Tahoe Science Council on others on some of these questions related to Destination Stewardship and collecting more data. And particularly the second home use and day visitor use so that they have better ideas of some of these patterns as they are changing and looking at ways that they can better quantify those changes and understand the travel patterns to better management that information. It doesn't appear that it is more people but it's people going to different places and doing different things and likely a combination of these factors. Change in recreation travel overall, more so than capacity.

All this information can be found at the following:

Demographics Data: <https://data-trpa.opendata.arcgis.com/pages/demographics>

2020 Census Report: <https://monitoring.laketahoeinfo.org/socioecon>

Tahoe Roadway Congestion Report:

<https://monitoring.laketahoeinfo.org/MonitoringProgram/Detail/77>

Presentation: <https://www.trpa.gov/wp-content/uploads/Agenda-Item-IX.-A.-Presentation-on-2020-U.S.-Census-Demographics-for-the-Tahoe-Region-and-Other-Available-Data.pdf>

Board Comments & Questions

Mr. Bass said with the decline in employees in the Stateline corridor, have they looked at quantifying the data with those trips that are not going to be made into that corridor daily just on the employment numbers coming down? How is that data gathered? Is there a counter at Stateline showing those road trips per day?

Mr. Kasman said the employment data comes from the Nevada Gaming Bureau. There are annual reports that include the number of employees at various locations in Nevada. Both Caltrans and NDOT have permanent count stations that count vehicles in each direction and report on average daily vehicle counts. Some of the counters are continuous or real time. Generally, they are looking at the average daily vehicle travel through those areas and comparing those over multiple years.

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Mr. Bass said in the 1980s, 1990s, and early 2000s, the casinos had quite a bus system between the Bay Area and Lake Tahoe. Have they looked at the numbers that we have now coming in by bus compared to what they had then?

Mr. Kasman said he doesn't know that they have good data in terms of those passenger numbers. They do have numbers for the transit ridership but are not sure about private company data.

Mr. Bass said that would be interesting to see that data.

Mr. Settelmeyer said it would be interesting to see if the Tahoe Transportation District had any updated information. In the past five to ten years, they were getting people's cell phone data from this region which indicated where someone came from. He always thought that most people drove here. The information showed that the majority of the visitors were coming through Reno-Tahoe International Airport. It would be interesting to know that with Covid if that information changed.

Mr. Hasty, Tahoe Transportation District said no, there is not an update from the 2017 report on cell phone data.

Mr. Settelmeyer asked he if could send that information to Mr. Bass.

Mr. Kasman said not included in this presentation was passenger volumes through the Reno-Tahoe International Airport. There was a significant dip during Covid but the 2023 number YTD show levels that would put them at the highest volumes in the past 10 to 15 years in terms of passenger volume. That's still down from the early 2000 peaks but it appears that this year is on track to surpass 2019 for passenger volumes. They are evaluating a number of different data sources that would shed light. A lot of the cell phone data that was being used is migrating to new sources using more GPS and connected vehicle and app data as opposed to direct cell phone pings. That data is changing a little bit but are evaluating what they can from that information.

Ms. Aldean said with the opening of the Tahoe Blue Event Center that some of these trends may be reduced to a less than significant level. People may not be going to the casinos to gamble but may go to the event center for an event. How frequently do we update the information with respect to travel statistics?

Mr. Kasman said generally it depends on the source of information. The traffic counts are released annually by Caltrans and NDOT and there's generally a delay in that information coming out. They only have the 2021 data from California and some 2022 data from Nevada. They are evaluating some of these more real time sources, but it becomes more difficult to make historical comparisons when using different data sources.

Ms. Aldean said with the decline in casino revenues and visitation to the casinos on the South Shore that the visitation traffic has redistributed itself to other areas around the lake. With the advent of the Event Center, you may end up redistributing some of those trips because there is a venue that will attract people coming into the basin. It would be interesting to get some statistics from the Event Center in terms of total people participating in events at that venue and how they are arriving. Maybe they could poll people about their

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mode of transportation to get there. If it's successful it may change the dynamic considerably.

Mr. Kasman said one of their conditions of approval requires that they contribute these traffic analyses and data collection to help support that analysis of information about their impacts.

Ms. Aldean said the effects on other areas within the basin may benefit in terms of relieving congestion and may not be a detrimental effect. Yes, it may be drawing in some additional people, but if those people are being redistributed then it lessens the impact on other areas around the basin.

Mr. Bass said if we are at a 15 year high at the Reno-Tahoe Airport, it would be good to have the South Tahoe Airport Express and how many people were coming here in that 20 years compared to now because they've cut their services drastically. In the past, there used to be an hourly service from Reno Airport.

Ms. Diss asked if they looked at data for the Lake Tahoe Airport and private flights, and rental car data.

Mr. Kasman said they haven't evaluated either of those data sources. The traffic count stations throughout the region would pick up all vehicles whether they are rental cars, private autos, buses, etc. Those trips would be counted within the overall measures of vehicles coming in and out of the basin, but they didn't look specifically at rental car data or the Lake Tahoe Airport.

Ms. Diss said she is wondering more because of Mr. Bass' question about whether there's been a reduction in the use of buses to get people to town and if people are coming to town other ways. We know that occupancy rates are lower but with second homes and the short term rentals, are people flying in to either Lake Tahoe or Truckee and then renting a car to drive to the basin?

Ms. Hill thanked staff for the data. It shows her constituents in Incline Village and Crystal Bay in what they have been experiencing is happening in a big way on the North Shore. She is working with NDOT as well as Director Settlemeyer and Secretary of State Aguilar to see what they can do to invest in that corridor. Another reason why study for that pedestrian multi-use path from Crystal Bay to Incline Village be helpful in relieving a lot of that congestion.

Ms. Gustafson said traffic engineers use a number of trips per day for a resident or household versus a visitor. Often, there is a lot of anger towards visitors, but they drive less and carpool more than residents. With the loss of full time residents on the North Shore they've heard a lot of this friction.

Mr. Segan said for planning projects that have counts that are general types so it would be a single-family residential neighborhood would have a count point at the entry and exit. They'll be aggregated over a suite of those counts. Generally, it's about ten trips per day per residential unit. Trips for hotel/motel and resort style development vary far more. Resorts have far fewer trips per day to around three trips per day in and out of a resort. Then hotel/motel are closer to residential development.

Ms. Gustafson said they'd seen that shift away, especially on the North Shore where they've lost a greater population in residents. As those homes are re-occupied with vacation homeowners and how they use those trips.

B. Strategic Planning Workshop: Aligning Board Committees with Priorities and Other Operational Improvements

Goals of Planning Retreat

- Build familiarity on the history, challenges, and strategies of the three current Strategic Priorities.
- Discuss information needs and ways to accelerate action on the Strategic Priorities.
- Review and discuss proposals for improved operations and committee structure.

Key Themes

TRPA staff presented on the history, status, and future directions for three strategic areas: Transportation (Keep Tahoe Moving), Healthy Tahoe Systems (Restoration and Resilience) and Housing (Tahoe Living).

Strategic Priority: Keep Tahoe Moving

- The Governing Board may consider convening a joint session with the board of the Tahoe Transportation District. TRPA is the Metropolitan Planning Organization (MPO) and TTD is the regional transportation authority.
- Transportation and land use are inextricably linked. Roadways and transportation infrastructure are fixed elements that take up much of a landscape and constrain land use options. Smart land use policy is a part of effective transportation planning.
- The reports on demographics and visitation demonstrate that overall trips to and from the basin remains relatively constant, even slightly below pre-pandemic levels, but that the destinations change. The casino core in Stateline is no longer the primary destination for visitors.
- Effective transportation planning and projects requires infrastructure and functioning transit systems outside of the Tahoe Basin, as these are necessary for connecting regional trips for visitors and residents.
- It is important that all transportation decisions do not result in making Tahoe inaccessible for those with fewer resources.
- Railroads and rail transit remain an opportunity to create regional linkages. Some rights-of-way remain where transit can be expanded. Truckee's train station also includes a hub for buses and on-road transit. To realize rail options, plans for rail infrastructure need to be included in regional and local transportation plans.
- A gondola could run the length of the business corridor from Stateline NV through South Lake Tahoe CA along Highway 50. This fixed guideway could provide transportation for locals and visitors.
- Funding:
 - The estimated total cost of building out the Regional Transportation Plan is approximately \$25B.
 - In 2023, partners were able to secure \$23M. This means in 2023 partners have exceeded the \$20M/year goal for 20 years known as 7-7-7.
 - Other transportation improvements which are priorities for local and regional

partners will require additional sources of funding.

- An early step to increase ridership may be to subsidize first/last mile solutions such as rideshares and micro transit.
- It is difficult to achieve effective regional transportation! All elements, planning, permitting, funding, construction, and operation require strong partnerships and clear messaging among partners.

Strategic Priority: Restoration and Resilience

- Current programs associated with this strategic priority include permitting streamlining (Cutting the Green Tape), updates to EIP thresholds, and incorporating climate change goals into codes and standards.
- California will be considering a climate bond in 2024. If passed, this will bring substantial resources for resilience programs and projects.
- Education and outreach about natural resource management and healthy Tahoe Systems remain challenging and remain a priority. This should continue to be a focus on this strategic area and associated committees.
- One challenge for landscape restoration and forest management throughout the country is a limited availability of workforce and equipment. This needs to be considered as programs are designed and developed.
- Cutting the Green Tape – or reducing bureaucratic hurdles to restoration and resilience programs are of critical importance and should continue to receive attention by board and staff.
- Tahoe should explore options related to using geothermal energy and infrastructure to melt and control snow. Geothermal infrastructure could run the length of the US 50 corridor, assisting with snowmelt and removal with far fewer carbon emissions.
- Evaluations continue to bear out that investments in health Tahoe systems under the EIP programs provides a positive financial return on investment through increased revenue from visitation, recreation and tourism.

Strategic Priority: Tahoe Living

- “Tahoe Living”, and housing policy and programs, are about building and sustaining healthy communities.
- The hard-to-reach, marginalized and low income populations in the region need to remain a focus of policy and programs.
- Housing discussions can often evoke strong responses from residents. Multi-family housing construction are often opposed by those concerned with over-development.

Board members commented that:

- There are very few locations remaining in the basin that are suitable and/or allow for multi-family projects.
- Multi-family projects under current consideration are in commercial cores.
- The Tahoe Region is approaching its overall cap for residential and commercial land use.
- Short Term Rentals or Vacation Home Rentals deserve another look by local jurisdictions and regional planning authorities.

Amendments to Board Structure and Operations

- There is support for Transportation issues to be separated out and considered in a new Board subcommittee. Currently it is housed within EIP and environmental programs, and has been the focal point of this subcommittee in recent years.
- An alternative was provided to the proposal of including Local Government subcommittee into the Regional Planning Committee: That Local Government group meet on an ad hoc, as-needed basis.
- There is support for including fire and fuels programs and policy within the EIP Subcommittee.
- Adjustments for board and committee operation to be tested include:
 - Soliciting questions from board members in advance of hearings so that staff may be prepared to answer, or even communicate in advance of hearings.
 - The board can utilize round-robin discussions, where each member is given a chance to briefly comment before discussion begins.
 - Agendas for upcoming board hearings will be listed on the board calendar.

Public Comments & Questions

Elise Fett said she was impressed with how Ms. Regan was so efficient at everything she reported on. One thing she mentioned was the New Zealand Mudsnails and the rapid response to these. She received a response to her email asking if the ultraviolet light boat had been used on the snails and Mr. Cowen said it had not, that things were being studied. The UV light boat is there and is a wonderful tool. There is already research out there that they will kill the snails and she'd be happy to provide that research. Please use this wonderful tool not just for invasive weeds but for these snails and will also work on the mussels. Please support the increase of the size of the UV light boats to show that it can do more than what the pilot boats which is reduce the costs per acre by half if we can move beyond these pilot boats and do a more efficient large boat now that it shows that it works.

The people that are fearful of the bike path at Crystal Bay are fearful because they saw what happened on the East Shore. We don't want a mixed-use trail and parking lots. What they need is a commuter trail for the entire basin in order to get through this transportation issue and start using bikes. Bike paths that are designated as bike paths. We cannot mix E-bikes with dogs and walkers. Please designate bike paths only. She was happy to hear Ms. Regan say that you've already stated you are using it for emergency vehicles. That has been her point here that these trails can be used not just for emergency vehicles but design them to be used for emergency evacuation particularly from Incline Village and Crystal Bay where the roads are tight.

With respect to the traffic from the 50 percent increase, she sees it every morning with a continuous stream of cars. Teachers, firemen, snow removal people, etc. These people need to be living here. The fastest way to get this going is to have Washoe and Douglas Counties allow the accessory dwelling units on less than an acre as done in California. We also need to simplify the red tape. There are over 300 people in this town that would create a legal long term in-law unit and could be used asap if they didn't have to get a development right. Please consider only requiring one hundred square feet of commercial area instead of 300 square feet of commercial area to get a development right for an in-law unit.

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She agreed with incentives for renting long term. The short term rental companies are doing a great job of advertising, and they need to see those advertisements mailed out to homeowners asking them to do long term.

Ellie Waller said she is the vocal minority. It started with the Pathway 2007 that led to the Regional Plan Update in 2012. She was involved in the North Tahoe Area Plan. These strategic measures, in her opinion, means there is a lot more public comments being provided so you are changing your processes. The processes have been broken for a while. She didn't see the Tahoe Basin Area Plan raised as something that is going on with the other housing. Her opinion is that some of the things that Placer County is doing have to do with TRPA. The Bi-State Consultation should be brought forward again, it hasn't met in public for public comment to talk about the transportation issues. The Tahoe Living Plan does have some contentiousness. Workforce housing work sites, the Tahoe City Public Utility District purchased a perfect location next to the Transit Center where Placer County could have come forward. The same thing could be said for the Lakeside Casino that Barton Hospital is moving into. There's not enough in kind affordable being paid for by the bigger employers. She agreed with Commissioner Rice that the Legal Committee does need to be separate. If a committee is run concurrently, that cuts out a public comment in person versus in writing and that needs to be thrown out. Trails for evacuation will be a safety nightmare on top of an infrastructure nightmare. She'll provide additional written comments.

Doug Flaherty said as usual the presentation regarding Census residents versus visitors was discussed in an outdated manner. The entry and exit information was woefully incomplete. It was shaped to further the agenda that the people here in the basin are not seeing an increase in huge overcrowding and over capacity of the basin in regard to roadway and population. If you are going to use this type of data, you'll continue to gain mistrust of the public. You can tell us that what we are seeing isn't true all you want. You completely disregarded the discussion on the East Shore Trail. The traffic that comes of Highway 267, the inundation that this international destination project has caused the impacts here in Incline. It's real, you didn't talk about that. You side stepped the airport issue with the number of increased flights coming in. You don't know how many visitors there are in the basin and puts the public in a position where they have no choice but to go before a judge to say this is inadequate, it's not substantial, there is no justification for what TRPA is saying. Do a supplemental environmental impact statement to the 2012 plan. You want all the public information that we are providing you to go away, just do a supplemental EIS to the Regional Plan. You put the public in a position where they have no choice but to litigate. You know if you do a supplemental EIS to the 2012 Regional Plan, most of what you are suggesting is not going to fly. They need a cumulative impact analysis of all major projects since the 2012 Regional Plan.

Ann Nichols, North Tahoe Preservation Alliance said buried in the Consent Calendar was an item on the Crystal Bay Trail. If you were more transparent about it because they've heard about this for years about how it will go through the neighborhoods in upper Crystal Bay. No electric bikes are a good idea or have different trails. No one is against the trail, but we need to know what is planned and if you already have money, there's usually a plan and the fix is in. She'd wished you'd be more transparent about it. Ms. Gustafson said she hears all the same things from the same people, she's on so many committees that you hear the same things. The public wants skepticism and analysis from the Governing Board, please don't limit Board discussion, it doesn't seem like there is enough real discussion anyway and your minds are already made up. Trying to limit everything more and more is not the solution.

X. REPORTS

A. Executive Director Status Report

Ms. Regan said for 30 years Lake Tahoe Wildlife Care was in a home in El Dorado County and then the community came together to raise funds to support a 25 acre facility off of Pioneer Trail. Their staff recently provided some staff tours for us.

Mr. Middlebrook did a TEDx talk on outdoor recreation at the Lake Tahoe Community College.

Many staff members recently attended the Tahoe Science Conference at the Lake Tahoe Community College. It's been eight years since the science consortium hosted a conference.

The American Planning Association held their meeting at the Tahoe Blue Event Center where she and Director Settlemeyer both made presentations to the group. TRPA Planner Ms. Avance has been involved with that group for many years.

The 2023 Business Expo sponsored by the Tahoe Chamber was held at the Tahoe Blue Event Center on October 26th.

Mr. Haven Association of Metropolitan Planning Organization's Board member and Mr. Murray attended the AMPO conference in Ohio where Mr. Murray also made a presentation to the group.

Ms. Navarro attended the Mountain Planners Conference where the theme was managing conflict in mountain towns.

When the New Zealand Mudsnails were discovered in Lake Tahoe some of our team members were at an AIS conference where Mr. Boos is an incoming President of one these associations around invasive species.

Yesterday, two cabinet secretaries from California; Secretary Crowfoot of the Natural Resources Agency and Secretary Omishakin with CalSTA which is the transportation agency that Caltrans rolls up to. They've never had a Department of Transportation Secretary from California do a tour of the basin. Also attending was the number two person at CalSTA, a Deputy from Caltrans and other key staff from Natural Resources. They were able to see on the ground the challenges that we are struggling with in transportation. They also got some great coverage from the Transportation Equity Study to fold those equity policies into the update Regional Transportation Plan that will be coming out next year.

Over the past year there have been some shifts internally starting with her shift to be the Executive Director and the other shifts that followed. She's proud of the team, it feels like we've released a ton of creativity and energy. There's been promotions and moving people around the Agency. Having met with all the staff and trying to fit everyone to maximize their strengths. They went through a process called Strengths Finder that aligns strengths with team members and the organization. The latest round of shifts is Mr. Smith who was promoted to Assistant Planner and is still overseeing the Front Desk operation. We have now hired the Front Desk full time Public Service Specialist, Ms. Horowitz. This was a new

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position that the Board approved in the budget and wants to make a big push especially since we are improving efficiencies and showing values for those increased fees that we are here to help. Ms. Brown will be starting as a planner working on the California Transformational Grant around housing.

At the December 13 Governing Board meeting we will have our holiday luncheon and open house for our front lobby.

In November, the Regional Plan Implementation Committee and the Advisory Planning Commission will meet to discuss the Phase 2 Housing Amendments. Following that it will go to the Governing Board in December. Also, in November there will be a presentation on the Aquatic Invasive Species Program.

1) Tahoe In Brief – Governing Board Monthly Report

B. General Counsel Status Report

Mr. Marshall said the Legal Committee met in closed session to discuss the Harrosh litigation. The States of Attorney General's offices of California and Nevada participated in briefings regarding whether or not they are mandatory parties in that litigation to protect their interest. They both filed a brief that no they are not necessary parties and TRPA can adequately represent their interest in this particular lawsuit over this particular interpretation of the Compact.

They were not successful in the recruitment of Associate Attorney and will discuss options internally before moving forward.

XI. GOVERNING BOARD MEMBER REPORTS

Ms. Gustafson said Placer County held their Board of Supervisors meeting last Monday and heard quite a bit of testimony on the Tahoe Basin Area Plan Amendments which will go back to their Board next Tuesday. Even with Mr. Hester's points of clarification, there remains a lot of confusion about the two simultaneous processes that are different in scope in nature but yet people are confounding together.

Mr. Bass asked for the reconsideration of the residential use for short term rentals to be brought back to the Board at a later date.

XII. COMMITTEE REPORTS

A. Local Government & Housing Committee

No report.

B. Legal Committee

No report.

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C. Operations & Governance Committee

No report.

D. Environmental Improvement, Transportation, & Public Outreach Committee

No report.

E. Forest Health and Wildfire Committee

No report.

F. Regional Plan Implementation Committee

No report.

XIII. PUBLIC INTEREST COMMENTS

Ellie Waller is looking forward to the ACR5 presentation being brought to the public that went to legislation. The 7-7-7 plan needs to be revisited. She doesn't believe all local jurisdictions should equally be ponying up \$7 million. Carson City as an example doesn't have the same input that the rest of local jurisdictions would necessarily have. She doesn't like the plan. The process for hearing consent calendar items to be removed has never been discussed, the public doesn't know when to request it. It was mentioned that TTD and TRPA should have a retreat together. Please make sure that the public is invited. Cell phone data is not as accurate as it could be. She's had a "714" Orange County phone number forever and can be tracked all over because she attends many meetings, for example. Preapplication for multi-family needs to be vetted with the public as well. The 1960's land use, we need to be real, we don't have a blank slate. Everyone agrees that we have limited real estate. But areas need to have fair share affordable housing everywhere and not just where land might be available. For example, how do you get around Kings Beach, it doesn't need and shouldn't have any more in her opinion. The same for Tahoe Vista. The South Shore has a whole other complexity with Heavenly Village being very different than the City of South Lake Tahoe. There are a lot more issues to be discussed and solutions to be found that seem to be more fair.

Denise Davis, Incline Village resident said in regard to the statistics presented in the Census presentation, while speaking with Sand Harbor staff this last summer she was told park visitors entering via the East Shore Express are not included in visitor counts because they do not pay an entrance fee. You may want to investigate the Sand Harbor numbers. At the April 2023, Tahoe Transportation District Board meeting, East Shore Express ridership of 29,161 was reported for 2022. The East Shore Express runs only between a parking lot in Incline and Sand Harbor. When the gates at Sand Harbor close usually early in the day there are only two ways to enter the park; ride the East Shore Express or walk in from the East Shore Trail. Parking for the trail is also in Incline. Your presentation showed increased traffic at the North Shore. Incline is the parking lot for two areas drawing visitors. When designated parking is full, visitors park on the neighborhood streets. This is not grumpy old folks reminiscing about the past, this is the reality that residents deal with daily. Quite a bit of the public comment is done in hopes of avoiding repeating mistakes made in the past. Many of them don't feel

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heard but do feel minimized and disregarded. Not everyone can devote a full day to a TRPA Board meeting. The public who attend meetings regularly pass along information to their community and share community comments with the Board. Less contempt towards them and more cooperation with them would prove to be beneficial for all.

Elise Fett said regarding the comment made about bus service and the first mile, last mile. The mini transportation system of TART Connect on the North Shore has been a huge help to the North Shore communities to reduce the traffic and parking issues. It supports the increase with the in-law units for the long term renters that they can use TART Connect and the bus system. The other item brought up was E-bike rentals. The local bike stores offer them but they need the safe bike paths designated for bikes only and they need to be wider to accommodate the wider handles of E-bikes. It could also be for E-scooters as well. It's not safe for people with dogs to be on these bike paths. They need separate trails and should not be encouraged to be in that same area; therefore, they don't need parking lots. These bikes will go from these stores, the commuters and kids who own bikes that are trying to connect from Kings Beach to Incline Village need this bike path. Ms. Caringer mentioned environmental acceleration and she agreed that we need to increase the pace and scale. Please increase the scale of the UV light boat. Cut the green tape and let the UV light boat in to take care of these New Zealand Mudsnails. Mr. Hoenigman mentioned the dollars needed for these projects; she couldn't agree more. She's in the business and these numbers seem absurd. On the other hand, she agrees that costs are going up and some of the numbers she sees for her projects have gone half again as much. We have an amazing resource of incredible people in this basin who have knowledge and financial resources that we need to tap into. They just need to know that we need their help.

Doug Flaherty, TahoeCleanAir.org said the East Shore Path Bike Trail was activated in 2019. Once again, this would have been these types of data that are being collected are not up to date. The East Shore Trail doesn't have any turn stiles, there are no firm counts on usage. If you took one hour in the summer to stand by Tunnel Creek, you'd see hundreds and hundreds of people an hour; bikes, tourists, residents. You don't know what the usage is or that visitor count but you've avoided that once again because it adds to the cumulative over capacity of Lake Tahoe. You don't have real visitor counts. It's a huge impact to this community and you are ignoring it when you make decisions. You continue to avoid and endangering the public around Lake Tahoe to encourage increased height, density, and coverage, lower setbacks, and so forth. You need to do the best practices for wildfire evacuation, determination, evaluation, by doing a roadway by roadway evacuation assessment before you continue with these projects. What's it going to look like in five years, are you just going to keep going up, keep condensing, keep changing TRPA's code of procedures to get what you want. The lake is in terrible shape, TRPA has failed since 2012. You are not following your mission statement, but you keep moving ahead ignoring the public and their data.

Ann Nichols, North Tahoe Preservation Alliance said regarding the 7-7-7 plan, the public expected to pay for transit. Placer County has done an excellent review of the first few years of TART and TART Connect. If you could look at that it would be an eye opener. She sees most of the TART Connect buses empty. The kids in Incline are calling TART Connect to go to Starbucks to get a coffee. Why are we promoting more traffic. These TART Connect buses in an evacuation will be stopped too. This is not the solution. The large employers should

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provide transit. Most of the increase in transit for TART Connect is around the ski areas in the winter. They need to do this themselves; they sell millions of passes. They need to build housing on their own sites. Even the Incline Village General Improvement District should build housing for their people. It shouldn't be up to the public when the failure has been TRPA just approving large developments, no particular housing, and large single-family homes. TART Connect is not the panacea, it's \$17.00 per ride.

XIV. ADJOURNMENT

Ms. Aldean moved to adjourn.
Motion carried.

Ms. Gustafson adjourned the meeting at 4:56 p.m.

Respectfully Submitted,



Marja Ambler
Clerk to the Board

The above meeting was recorded in its entirety. Anyone wishing to listen to the recording of the above-mentioned meeting may find it at <https://www.trpa.gov/meeting-materials/>. In addition, written documents submitted at the meeting are available for review. If you require assistance locating this information, please contact the TRPA at (775) 588-4547 or virtualmeetinghelp@trpa.gov.